

ensure the further advancement of women in our country and around the globe.

INTRODUCING A RESOLUTION TO  
COMMEND THE AUSTRALIANS'  
UNQUALIFIED APOLOGY TO IN-  
DIGENOUS AUSTRALIANS AND  
TORRES ISLANDERS

**HON. ALCEE L. HASTINGS**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 12, 2009*

Mr. HASTINGS of Florida. Madam Speaker, I rise today to introduce legislation that commends the Australian government for apologizing for its mistreatment of Indigenous Australians and Torres Islanders, and for committing to fighting the disparities that continue to impact Indigenous communities.

Indigenous Australians first arrived on the continent more than 50,000 years ago, developed one of the oldest cultures on earth, and made world renowned contributions to the arts, politics and athletics despite the hardships that they faced at home.

From the mass killings of Indigenous people by European settlers during the 18th Century to restricting Indigenous Australians from the right to vote until 1962, violence, discrimination and disenfranchisement have however, played a significant role in European and Indigenous relations for centuries. Perhaps Australia's most notorious action against the Indigenous population during the 20th Century was the Australian government's authorization of the removal of tens of thousands of children of native and mixed ancestry from their homes under the Protection Acts. These were inspired by racist and pseudo-scientific notions of cultural and racial superiority, and designed to eradicate Indigenous culture and the very existence of the Indigenous people. The victims of this national atrocity are often referred to as the Stolen Generation.

Madam Speaker, the legacy of official and unofficial discriminatory practices by the Australian Government has contributed to substandard education, health, employment and lack of political power among Australia's Indigenous population. On average, Indigenous Australians die 17 years earlier than white Australians, and have higher instances of infant mortality, unemployment and homelessness. These figures are a jarring reminder that Australia's prosperity has yet to fully reach the people who first inhabited the land.

On February 13, 2008 millions of Australians of all colors and ethnicities witnessed Prime Minister Kevin Rudd's formal apology—on behalf of the Australian Government and its Parliament—to the Indigenous and Torres Island community. The long awaited apology was accompanied with a promise from the Council of Australian Governments (COAG) to donate \$4.6 billion to fund initiatives to improve life expectancy, health, education and employment in Indigenous communities. Nearly a year later, Prime Minister Rudd addressed the nation and reported on the status of the initiatives that were implemented and drafted after the apology, and reiterated the importance of change and reconciliation.

Madam Speaker, American Theologian Tryon Edwards said, "Right actions in the future are the best apologies for bad actions in

the past." The value of Australia's apology is undoubtedly determined by the Australian government's ability to aggressively address the systemic inequalities that exclude most Indigenous people from the standard of living that is held by the vast majority of non-Indigenous Australians.

Like Australia, racial disparities exist in the United States. As we commend Australia on its willingness to confront its past, let us also reflect on our history with the purpose of comprehensively targeting the residual barriers that prevent some Americans from accessing opportunities in this country.

A TRIBUTE TO KO-THI AFRICAN  
DANCE COMPANY OF MILWAUKEE

**HON. GWEN MOORE**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 12, 2009*

Ms. MOORE of Wisconsin. Madam Speaker, I rise to pay tribute to the internationally renowned dance troupe, Ko-Thi African Dance Company of Milwaukee. In May, 2009, Ko-Thi African Dance Troupe will celebrate its 40th anniversary.

Much of the success of the Ko-Thi African Dance Company can be attributed to its founder and Artistic/Executive Director, Ferne Caulker. Ms. Caulker, born in Sierra Leone, West Africa is a creative genius blessed with the passion and determination needed to create a "family" of professional performers. She is a full professor at the University of Wisconsin-Milwaukee in the School of Dance where she has taught since 1971. Ms. Caulker is not only a former Fulbright Fellow but a recipient of numerous award. She has made the music and dance of the peoples of the African Diaspora accessible to all Americans, especially African-American audiences. Twenty years ago she extended that vision to include a children's troupe, Ton Ko-Thi, to instill cultural pride and self-worth to children through the discipline required to create art.

The Company is comprised of both musicians and dancers trained in the history, mythology and techniques of art forms within the African Diaspora. The troupe utilizes a myriad of traditional instruments, authentic costumes, infectious music and extraordinary dance to educate and bridge the gap between cultures. Ko-Thi operates a comprehensive educational outreach program, Drum Talk that works with institutions to assist with expanding and diversifying any curriculum with the history, dance, and drumming of the African continent and its Diaspora. If you have had the privilege of attending a Ko-Thi Dance Company performance, you know it is a tremendous experience to observe their exacting stepping, pulsating vibrant rhythm and hypnotic movement. The Ko-Thi African Dance Company is Wisconsin's regional, national and international touring gem. They have performed in Japan, Canada and many venues throughout the United States.

Madam Speaker, I am proud to say the Ko-Thi African Dance Company hails from the 4th Congressional District and pleased to give praise to Ferne Caulker, the ensemble, and their Board of Directors. I wish them many more years of success.

RECOGNIZING FAIRFAX COUNTY  
FIRE AND RESCUE DEPARTMENT  
RECIPIENTS OF THE FAIRFAX  
COUNTY CHAMBER OF COM-  
MERCE 2009 VALOR AWARD

**HON. GERALD E. CONNOLLY**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 12, 2009*

Mr. CONNOLLY of Virginia. Madam Speaker, I rise today, joined by my colleagues Rep. FRANK WOLF and Rep. JAMES MORAN, to recognize an outstanding group of men and women in Northern Virginia. These individuals have demonstrated superior dedication to public safety and have been awarded the prestigious Valor Award by the Fairfax County Chamber of Commerce.

The Valor Awards recognize remarkable heroism and bravery in the line of duty exemplified by our public safety agencies and their commitment to the community. Our public safety and law enforcement personnel put their lives on the line everyday to keep our families and neighborhoods safe. More than 80 awards were presented at this year's ceremony in a variety of categories: The Lifesaving Award, the Certificate of Valor, or the Bronze, Silver, or Gold Medal of Valor.

Nine members of the Fairfax County Fire and Rescue Department earned this high honor. It is with great pride that we submit their names into the Congressional Record:

Recipients of the Lifesaving Award: Shift Captain Ronald A. Gemsheim Jr. and Firefighter Brian J. Bonkoski.

Recipients of the Certificate of Valor: Technician Michael S. Eddy, Technician Tie L. Burlow, Technician Kathleen M. Vorbau, and Firefighter Medic Damian C. Ripley.

Recipients of the Bronze Medal of Valor: Station Captain Tony C. Kosteka, Firefighter Miguel Obleas, and Firefighter Henry T. Chan.

Madam Speaker, in closing, we would like to take this opportunity to thank all of the men and women who serve in the Fairfax County Fire and Rescue Department. Their efforts, made on behalf of the citizens of Fairfax County, are selfless acts of heroism and truly merit our highest praise. We ask our colleagues to join us in applauding this group of remarkable citizens.

INTRODUCTION OF THE GERI-  
ATRICS LOAN FORGIVENESS ACT  
OF 2009

**HON. ROSA L. DeLAURO**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 12, 2009*

Ms. DeLAURO. Madam Speaker, I rise today to introduce the Geriatrics Loan Forgiveness Act of 2009. This bill would take an important step towards encouraging more health professionals to enter the field of geriatrics and care for our aging population.

In 2011—just two years from now—the first baby boomers will turn 65. By 2030, the number of Americans 65 and older will have nearly doubled, to over 70 million.

Our nation currently has too few health care professionals who specialize in geriatrics to treat older adults with complicated illnesses,

and that problem is going to dramatically worsen in the very near future. Yet there are currently fewer than 9,000 geriatric physicians practicing in the United States, far below the 36,000 or more needed to effectively care for the nation's booming population of seniors by 2030. The numbers are similar across health care disciplines, including nursing, social work, psychology, pharmacy and psychiatry.

Geriatric specialists are the foundation of high-quality, comprehensive health care for our older adults. This kind of specialized care is complicated and demanding. For example, about 80 percent of the senior population has one or more chronic conditions. In 2002, older people made up 13 percent of the U.S. population yet accounted for 36 percent of all hospital stays, 49 percent of all days of hospital care, and 50 percent of all physician hours.

Despite this growing need, many health care professionals inclined to study and practice in geriatrics are dissuaded from doing so because treating the elderly carries financial disincentives for them. Currently, over 86 percent of medical school graduates carry educational debt, and the median debt burden for graduates of public medical institutions has risen to over \$119,000 while that for private school graduates has increased to nearly \$150,000.

The Geriatrics Loan Forgiveness Act of 2009 would address the national shortage of geriatric specialists by enabling geriatric specialists to participate in the existing National Health Service Corps Loan Repayment Program, encouraging more health care professionals to be certified in geriatrics. This program currently forgives up to \$25,000 on behalf of an individual for each of the first two years of obligated service.

In its April 2008 report, "Retooling for an Aging America," the Institute of Medicine recommended that "Public and private payers should provide financial incentives to increase the number of geriatric specialists in all health professions." The Geriatrics Loan Forgiveness Act would provide a very important incentive for health care graduates to enter geriatric specialties early in their careers and become part of the workforce that we need to provide quality health care to America's seniors.

#### THE SAFE AND SECURE AMERICA ACT OF 2009

**HON. LAMAR SMITH**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 12, 2009

Mr. SMITH of Texas. Madam Speaker, today I introduce the Safe and Secure America Act of 2009 to instill confidence in the American people that our intelligence community is fully equipped to investigate and prevent threats to our safety and security.

This legislation extends for ten years sections 206 and 215 of the USA PATRIOT Act and section 6001 of the Intelligence Reform and Terrorism Prevention Act of 2004, which are scheduled to sunset on December 31, 2009. Three years ago, Congress reauthorized the USA PATRIOT Act, eliminating all but these three sunsets.

Section 206 of the USA PATRIOT Act authorizes the use of multipoint or "roving" wiretaps for national security and intelligence in-

vestigations. A "roving" wiretap applies to an individual and allows the government to use a single wiretap order to cover any communications device that the suspect uses or may use. This type of wiretap differs from a traditional criminal wiretap that only applies to a particular phone or computer used by a target. Without roving wiretap authority, investigators would be forced to seek a new court order each time they need to change the location, phone, or computer that needs to be monitored.

Section 215 allows the Federal Bureau of Investigation (FBI) to apply to the FISA court to issue orders granting the government access to any tangible items (including books, records, papers, and other documents), no matter who holds it, in foreign intelligence, international terrorism, and clandestine intelligence cases. The USA PATRIOT Improvement and Reauthorization Act of 2005 contains several protections against abuses of Section 215 authority, including Congressional oversight, procedural protections, application requirements, and judicial review.

Section 6001 of the Intelligence Reform and Terrorism Prevention Act of 2004 amends the definition of "agent of a foreign power" to include "lone wolf" terrorists who are non-U.S. persons engaged in international terrorism, regardless of whether they are affiliated with an international terrorist group. When FISA was originally enacted in the 1970s, terrorists were more commonly members of an identified group. That is not the case today. Many modern-day terrorists may subscribe to a movement but do not subscribe to a specific group and often act alone. It is imperative that such an out-dated definition does not impede our ability to gather intelligence about perhaps the most dangerous terrorists operating today.

Madam Speaker, America is fortunate to not have suffered a terrorist attack on our soil in over seven years. But we must not let our safety become complacency. America is safe today not because terrorists and spies have given up their mission to destroy our freedoms and our way of life. America is safe today because the men and women of the intelligence community work tirelessly to protect us. It would be irresponsible of Congress to take away the authorities needed to their job. The threat to America from terrorists, spies, and enemy nations will not sunset at the end of this year. Neither should America's anti-terrorism laws.

#### CONSUMER OVERDRAFT PROTECTION FAIR PRACTICES ACT

**HON. CAROLYN B. MALONEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 12, 2009

Mrs. MALONEY. Madam Speaker, overdraft fees are becoming an increasing problem for bank customers. A November 2008 Federal Deposit Insurance Corporation (FDIC) study of 462 FDIC regulated banks found that 86% operated formal overdraft programs, with 75% automatically enrolling consumers into an overdraft protection plan. In some cases, consumers were not allowed to opt-out. Automated overdraft usage fees assessed by banks ranged from \$10 to \$38, and the median fee assessed was \$27.

A separate report released by the non-partisan Center for Responsible Lending (CRL) demonstrates that well over \$10 billion dollars in overdraft fees are generated each year, with almost half generated from debit card purchases, in which the customer typically has no warning that the transaction will trigger an overdraft fee. Not surprisingly, the CRL study also showed that the overwhelming majority of customers want to know if a debit or ATM transaction would trigger an overdraft fee.

To provide consumers more notice and choice related to overdraft fees, I am reintroducing the Consumer Overdraft Protection Fair Practices Act.

The central provision of the Consumer Overdraft Protection Fair Practices Act is that it requires notice to customers when an ATM or debit card transaction will trigger an overdraft and an opportunity in real time for the consumer to accept or reject the overdraft service (and the associated fee) for that transaction.

This legislation amends the Truth in Lending Act (TILA) to provide these new consumer protections. By bringing overdraft plans under the TILA, as an extension of credit, it would require the disclosure of the terms and charges associated with an overdraft program. This would give an opportunity for account holders to choose to have an overdraft plan or not—the same basic consumer protections provided for other consumer credit products.

In addition, the bill seeks to stop the practice of banks maximizing their overdraft fee income by intentionally manipulating the order in which they process debits on customer accounts so as to increase the number of overdrafts. For example, some banks pay the largest check first before paying other smaller checks or making any deposits. While banks argue that the largest check is often the most important, a bank that has an overdraft program generally pays them all, so changing the order only changes the amount of the fees paid by the customer.

This disclosure bill is modeled on legislation with which most Americans are now very familiar—requiring disclosure at ATMs that ATM transactions will trigger a fee. Just as individuals may choose the convenience of withdrawals from an ATM, they may choose the convenience of overdraft protection or not, after being informed of the cost of the service.

In summary, the bill provides these key protections:

Requires consumer consent before banks can permit overdraft loans for a fee. Banks will be required to obtain written consent for covering overdrafts for a fee, and to disclose to consumers the amount of any fee, the types of transactions that will overdraw the account, and the time period for repayment of the extension of credit.

Clarifies that overdraft fees are finance charges under the Truth in Lending Act, so consumers can compare the cost of borrowing the bank's funds through an overdraft with other sources of cash advances.

Prohibits banks from manipulating the order in which checks and other debits are posted if it causes more overdrafts and maximizes fees.

Requires banks to warn the customer that an electronic transaction may trigger an overdraft loan fee and allow the customer to cancel the transaction after receiving this warning.